

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MOTION FOR JUDGMENT BY DEFAULT AS TO DEFENDANTS LANCASTER  
ANNUITY SERVICES COMPANY, GARY SPIRK ENTERPRISES AND SECURE  
INVESTMENT, INC. AND VOLUNTARY DISMISSAL AS TO DEFENDANTS

DAVID S. WALTON

For the reasons stated in plaintiff's memorandum in support of this motion, plaintiff respectfully moves this court to grant plaintiff's motion for judgment by default and to voluntarily dismiss defendant David S. Walton.

Respectfully Submitted,  
CLYMER & MUSSER, P.C.

/s/ Leonard G. Brown, III  
Leonard G. Brown, III, Esquire  
Attorney for Plaintiff  
23 North Lime Street  
Lancaster PA 17602-2912  
(717) 299-7101  
I.D. #83207

Dated: November 10, 2004

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am this day serving the foregoing Motion in the manner indicated below.

Service by first class mail, postage prepaid, addressed as follows:

Secure Investment, Inc.  
156 North Donnerville Rd.  
Mountville, PA 17554

Lancaster Annuity Services Company  
8 N. Queen St.  
Lancaster, PA 17603

Gary Spirk Enterprises  
2173 Embassy Dr.  
Lancaster, PA 17603

CLYMER & MUSSER, P.C.

By: /s/ Leonard G. Brown, III  
Leonard G. Brown III  
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Date: November 10, 2004